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15
16 Attorneys for Plaintiffs
17 JANE DOE
18 MARY ROE

19 UNITED STATES DISTRICT COURT
20 NORTHERN DISTRICT OF CALIFORNIA

21 JANE DOE and MARY ROE,

22 Plaintiffs,

23 v.

24 GENERAL MICHAEL W. HAGEE,
25 Commandant of the U.S. Marine Corps, ;
1 UNITED STATES MARINE CORPS;
2 DONALD C. WINTER, Secretary of the
3 Navy; DEPARTMENT OF THE NAVY;
4 SERGEANT BRIAN FUKUSHIMA;
5 STAFF SERGEANT JOSEPH
6 DUNZWEILER; and DOES 1-10,

7 Defendants.

) CASE NO.: C 06-1777 MHP
1) E-FILING CASE
2)
3) STIPULATION TO CONTINUE
4) SETTLEMENT CONFERENCE; TIME
5) WITHIN WHICH TO SERVE
6) DEFENDANTS; AND DISCOVERY
7) CUT OFF DATE; AND [PROPOSED]
8) ORDER THEREON
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29 A case management conference was held on July 10, 2006. The minutes from the case
30 management conference set the following dates:

31 1. Settlement conference be held no more than 90 days from July 10, 2006. Pursuant thereto

32 Magistrate Judge Joseph G. Spero set a Settlement Conference for October 4, 2006.

33 2. Defendants Joseph K. Dunzweiler and Brian G. Fukushima be served no later than August

34 STIP. TO CONT. SETTLEMENT CONF.

35 CASE NO.: C 06-1777 MHP

1 25, 2006.

2 3. Discovery be completed no later than December 31, 2006.

3 Thereafter

4 1. Defendants' filed the motion to dismiss the complaint here with a hearing set thereon for
5 September 25, 2006. In anticipation of this motion counsel for both plaintiffs and defendants have
6 been required to spend considerable time and effort to prepare for and defend said motion. These
7 efforts impeded the parties from adequately preparing for the October 6, 2006 Settlement
8 Conference. In consideration thereof, counsel for plaintiffs and defendants have contacted the
9 Secretary for Magistrate Judge Joseph G. Spero and determined that November 27, 28, 29, 30,
10 December 5, 7, 19, and 20 are available dates in the Magistrate's court to hold the Settlement
11 Conference.
12

13 2. Plaintiffs have engaged the services of Attorney's Diversified both as a process server and
14 as a skip tracer to locate Defendants Joseph K. Dunzweiler and Brian G. Fukushima. To date
15 Plaintiff's have not been successful in locating and thus in serving said defendants.
16

17 3. Counsel for plaintiffs and defendants agree additional time is necessary and appropriate to
18 meaningfully prepare for and participate in any Settlement Conference; to locate Defendants
19 Joseph K. Dunzweiler and Brian G. Fukushima; and to complete sufficient discovery in order to
20 adequately prepare for settlement or trial in this matter.
21

22 IT IS THEREFORE STIPULATED BY AND BETWEEN THE PARTIES:
23

24 1. The Settlement Conference be held within 90 days of this order;
25

26 2. Plaintiffs have until November 15, 2006 to serve defendants Joseph K. Dunzweiler and
27 Brian G. Fukushima; and
28

STIP. TO CONT. SETTLEMENT CONF.

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1 3. The cut off date for discovery in this matter shall be extended to March 31, 2007.
2

3 Dated: September 8, 2006

Respectfully submitted,

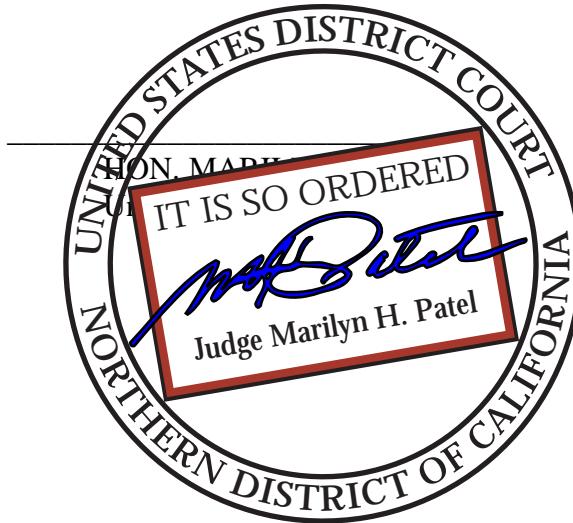
4 By: _____ /s/
5 BARRY VOGEL
6 MICHAEL S. SORGEN
7 Attorneys for Plaintiffs

8 Dated: September 8, 2006

9 By: _____ /s/
10 OWEN P. MARTIKAN
11 Assistant United States Attorney
12 Attorney for Defendants

13 BASED ON THE AFORESAID STIPULATION, IT IS SO ORDERED.

14 Dated: September 22, 2006



21 STIP. TO CONT. SETTLEMENT CONF.
22 CASE NO.: C 06-1777 MHP